

**FREEDOM OF INFORMATION COMMISSION STATEMENT  
ON HB 5900, AN ACT REQUIRING MORE TRANSPARENCY IN EDUCATION**

**February 22, 2013**

The Freedom of Information Commission submits this statement in support of Proposed Bill 5900 to the extent that the bill would increase transparency in education by making non-profit organizations that conduct the public's business subject to the FOI Act.

Financial and other arrangements between non-profits and local, regional and state boards of education are part of the conduct of the public's business and ought to be subject to public scrutiny under the FOI Act.

The FOI Commission believes that an important part of a non-profit's success in performing its charitable work is tied to its credibility with the public. This is the case even more so when a non-profit's work is linked or connected to a public agency and the public's mission. The public perception of propriety is essential if the people of this state are to trust in the administration of non-profit organizations that conduct the public agency's business.

To the extent that the bill proposes to redefine the phrase "public agency" in section 1-200 of the FOI Act in an effort to make only the State Education Resource Center subject to the FOI Act, the Commission cautions that such amendment may cause confusion as to what organizations can be considered a "nonprofit established by an agency, board or commission," and suggests that the legislature explicitly set forth in the general statutes that the State Education Resource Center itself is subject to the requirements in the FOI Act.

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